

AMENDED IN SENATE MAY 20, 2014

AMENDED IN SENATE MAY 6, 2014

AMENDED IN ASSEMBLY JANUARY 6, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## ASSEMBLY BILL

**No. 745**

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**Introduced by Assembly Member Levine**

February 21, 2013

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An act to amend Section 5549 of the Public Resources Code, relating to parks.

### LEGISLATIVE COUNSEL'S DIGEST

AB 745, as amended, Levine. Regional park and open-space districts: general manager: powers.

*Existing law authorizes the general manager of any park or open-space district, with district board approval, to bind the district, in accordance with board policy, and without advertising, for the payment of amounts not exceeding \$10,000 for any purpose other than new construction of a building, structure, or improvement, and for the payment for new construction of a building, structure, or improvement, in amounts not exceeding \$25,000, as specified. Existing law authorizes the general manager of 3 identified park and open-space districts to make payments in amounts not exceeding \$25,000, without advertising, for any purpose.*

*This bill would permit the general manager of any park or open-space district to make these payments, without advertising, for any purpose, in amounts not exceeding \$25,000.*

*Existing law authorizes the payments discussed above for supplies, materials, or labor, but only authorizes these payments for other*

*valuable consideration (1) for purposes other than new construction of a building, structure, or improvement, or (2) by a general manager of one of the 3 identified park and open-space districts.*

*This bill would permit the general manager of any park or open-space district to make payments for other valuable consideration for new construction of a building, structure, or improvement.*

~~Existing law authorizes the general managers of the East Bay Regional Park District, the Midpeninsula Regional Open Space District, and the Sonoma County Agricultural Preservation and Open Space District to bind those districts, with district board approval and in accordance with board policy, for the payment for supplies, materials, labor, or other valuable consideration for any purpose, in amounts not exceeding \$25,000.~~

~~This bill would also extend that authorization to the general managers of the Marin County Open Space District and the Napa County Regional Park and Open Space District.~~

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 5549 of the Public Resources Code is
- 2 amended to read:
- 3 5549. (a) The general manager has the following administrative
- 4 and executive functions, powers, and duties. The general manager
- 5 shall do all of the following:
- 6 (1) Enforce this article and all ordinances and regulations of the
- 7 district.
- 8 (2) Appoint and remove subordinates, clerks, and other
- 9 employees, and exercise supervision and control over all
- 10 departments and offices of the district, subject to the personnel
- 11 rules, civil service or merit system, and policies adopted by the
- 12 board.
- 13 (3) Attend all meetings of the board unless excused by the board.
- 14 (4) Submit to the board for adoption any measures, ordinances,
- 15 and regulations he or she deems necessary or expedient.
- 16 (5) Enforce all terms and conditions imposed in favor of the
- 17 district or its inhabitants in any contract and report any violations
- 18 to the board or the police department, as appropriate.

1 (6) Prepare and submit the annual budget to the board and  
2 perform all other duties imposed by this article or by the board.

3 (b) ~~(4)~~ With the approval of the board, the general manager  
4 may bind the district, in accordance with board policy, and without  
5 advertising, for the payment for supplies, materials, labor, or other  
6 valuable consideration for any purpose, other than new construction  
7 of a building, structure, or improvement, in amounts not exceeding  
8 ~~ten thousand dollars (\$10,000);~~ *twenty-five thousand dollars*  
9 *(\$25,000)*, and for the payment for supplies, materials, ~~or~~ labor,  
10 *or other valuable consideration* for new construction of a building,  
11 structure, or improvement, in amounts not exceeding twenty-five  
12 thousand dollars (\$25,000). All expenditures shall be reported to  
13 the board of directors at its next regular meeting.

14 ~~(2) Notwithstanding paragraph (1), with the approval of the~~  
15 ~~board, the general manager of the East Bay Regional Park District,~~  
16 ~~the general manager of the Marin County Open Space District, the~~  
17 ~~general manager of the Midpeninsula Regional Open Space~~  
18 ~~District, the general manager of the Napa County Regional Park~~  
19 ~~and Open Space District, and the general manager of the Sonoma~~  
20 ~~County Agricultural Preservation and Open Space District may~~  
21 ~~bind those districts, in accordance with board policy, and without~~  
22 ~~advertising, for the payment for supplies, materials, labor, or other~~  
23 ~~valuable consideration for any purpose, including the new~~  
24 ~~construction of any building, structure, or improvement, in amounts~~  
25 ~~not exceeding twenty-five thousand dollars (\$25,000). All~~  
26 ~~expenditures shall be reported to the board of directors at its next~~  
27 ~~regular meeting.~~

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